

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MARY JENNIFER PERKS, MARIA
NAVARRO-REYES on behalf of themselves and
all others similarly situated,

Plaintiffs,

v.

TD BANK, N.A.,

Defendant.

CASE NO. 1:18-CV-11176-VEC

**NOTICE OF MOTION AND PLAINTIFFS' MOTION FOR APPROVAL OF ATTORNEYS'
FEES, EXPENSES, AND SERVICE AWARDS**

PLEASE TAKE NOTICE that on May 3, 2022, at 2:00 p.m., a hearing will be held before the Honorable Valerie Caproni, United States District Judge for the Southern District of New York, in Courtroom 443, 40 Foley Square, New York, NY 10007, or, subject to further order of the Court, by telephone or videoconference, at which Plaintiff Class Representatives Mary Jennifer Perks and Maria Navarro-Reyes will, and hereby do, move the Court, under Federal Rules of Civil Procedure 23(h) and 54(d)(2), for entry of an order approving the following payments from the Settlement Fund created by the Settlement Agreement and Releases, ECF No. 94-2:

- (a) \$10,375,000 (25% of the cash and debt forgiveness provided by the Settlement) as attorneys' fees to Class Counsel;
- (b) \$95,286.87 in reimbursement of litigation expenses that were advanced by Class Counsel; and
- (c) \$7,500 to each of the Class Representatives as service awards.

This Motion is based on this Notice of Motion and Motion, Plaintiffs' Memorandum in Support of this Motion and all its exhibits, the Settlement Agreement and Releases and all its exhibits, the argument of counsel, all papers and records on file in this matter, and such other matters as the Court may consider. This Notice of Motion and Motion, along with the accompanying papers, will be posted to the settlement website for review by any Class Member free of charge.

Dated: January 14, 2022

Jeffrey D. Kaliel (admitted pro hac vice)
Sophia Gold (admitted pro hac vice)
KALIEL GOLD PLLC
1875 Connecticut Ave., NW, 10th Floor
Washington, D.C. 20009
Telephone: (202) 350-4783
jkaliel@kalielpllc.com
sgold@kalielpllc.com

Jeff Ostrow (admitted *pro hac vice*)
Jonathan M. Streisfeld (admitted *pro hac vice*)
KOPELOWITZ OSTROW, P.A.
One W. Las Olas Blvd., Suite 500
Fort Lauderdale, Florida 33301
Telephone: (954) 525-4100
Facsimile: (954) 525-4300
ostrow@kolawyers.com
streisfeld@kolawyers.com

Respectfully submitted,

/s/James J. Bilsborrow
James J. Bilsborrow
WEITZ & LUXENBERG, P.C.
700 Broadway
New York, New York 10003
Telephone: (212) 558-5500
jbilsborrow@weitzlux.com

Richard E. Shevitz (admitted pro hac vice)
Lynn A. Toops (admitted pro hac vice)
Vess A. Miller (admitted pro hac vice)
COHEN & MALAD, LLP
One Indiana Square, Suite 1400
Indianapolis, IN 46204
Telephone: (317) 636-6481
Facsimile: (317) 636-2593
rshevitz@cohenandmalad.com
ltoops@cohenandmalad.com
vmiller@cohenandmalad.com

Attorneys for Plaintiff Class Representatives and the Settlement Class

CERTIFICATE OF SERVICE

I certify that on February 8, 2022, a true and accurate copy of the foregoing notice was filed electronically with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ James J. Bilsborrow